

REMARKS/ARGUMENTS

Claims 1-30 are pending in the application. Claims 1-13, 15, 22, 23, and 25 were elected in response to a restriction requirement mailed March 29, 2007. Claims 29-30 are newly added. Examiner rejects Claims 1-13, 15, 22, 23, and 25 under 35 U.S.C. 102(b) in view of a UPS Logistics Guide entitled "Roadnet 5000 Operations Guide- Version 7.0" for UPS Logistics Technologies ("Roadnet 5000"). In response, Applicant has amended the claims. The following remarks are also respectfully submitted.

DISCUSSION

Claims 1-4, 8, 11, 22, and 23

Applicant has amended Independent Claims 1, 8, 11, 22, and 23, and dependent Claims 2-4. Applicant respectfully asserts that these claims as amended are not anticipated by, or obvious in view of, the Roadnet 5000 reference. Accordingly, Applicant requests that the current rejection of independent Claims 1, 8, 11, 22 and 23, and dependent Claims 2-4 under 35 U.S.C. 102(b) be withdrawn.

Claims 5-7, 9-10, and 12-13

Dependent Claims 5-7 depend from Independent Claim 1, dependent Claims 9-10 depend from independent Claim 8, and dependent Claims 12-13 depend from Independent Claim 11. Accordingly, in light of the amendments discussed above to Independent Claims 1, 8 and 11, Applicant respectfully requests that the current rejection of dependent Claims 5-7, 9-10, and 12-13 under 35 U.S.C. 102(b) also be withdrawn.

Claims 1, 4, 7-8, 11, 22-23, and 25

Applicant has amended Independent Claims 1, 8, 11, 22-23, and 25, and dependent Claims 4 and 7 to remove quotation marks from the following terms: geographic area and road segment. The removal of the quotation marks does not constitute new matter nor does the

removal of the quotation marks alter the meaning of Claims 4 and 7.

Claim 15

Independent Claim 15 has been rejected under 35 U.S.C. 102(b) as being anticipated by the Roadnet 5000 reference. Applicant respectfully asserts that the Roadnet 5000 reference does not suggest various limitations of Claim 15. For example, the Roadnet 5000 reference does not anticipate at least the following limitations of Claim 15:

“in response to determining that the first travel rule should be applied to one or more vehicles traveling within the overlapped geographic area, applying the first travel rule to model traffic conditions for one or more vehicles traveling through at least a portion of the overlapped geographic area; and
in response to determining that the second travel rule should be applied to one or more vehicles traveling within the overlapped geographic area, applying the second travel rule to model traffic conditions for one or more vehicles traveling through at least a portion of the overlapped geographic area.”

The Roadnet 5000 reference does not disclose, at least, modeling traffic conditions when two or more travel rules are associated with the same geographic area. Thus, because the Roadnet 5000 reference does not disclose each and every limitation of Claim 15, the Applicant requests that the current rejection of independent Claim 15 under U.S.C. 102(b) be withdrawn.

Claim 25

Independent Claim 25 has been rejected under 35 U.S.C. 102(b) as being anticipated by the Roadnet 5000 reference. However, the Roadnet 5000 reference does not disclose, at least, the following limitations of Claims 25 in its amended form:

“after receiving said geographic area information, said first speed variation model, and said first road classification, applying the first speed variation model to estimate travel times associated with vehicles traveling on roads of the first classification through at least a portion of the geographic area; and
after receiving said geographic area information, said second speed variation model, and said second road classification, applying the second speed variation model to estimate travel times associated with vehicles traveling on roads of the second classification through at least a portion of the geographic area.”

Appl. No.: 10/828,850
Amdt. dated February 11, 2008
Reply to Office Action of September 11, 2007

The Roadnet 5000 reference does not disclose, at least, the utilization of road classifications. Thus, because the Roadnet 5000 reference does not disclose each and every limitation of Claim 25, the Applicant requests that the current rejection of independent Claim 25 under U.S.C. 102(b) be withdrawn.

CONCLUSION

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

/David B. Black/

David B. Black
Registration No. 61,732

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Atlanta Office 404-881-7000
Fax Atlanta Office 404-881-7777

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON FEBRUARY 11, 2008.